

AMENDED IN ASSEMBLY MARCH 26, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2660

Introduced by Assembly Member Leno

February 20, 2004

An act to amend Sections 4040, 4052, 4060, ~~4061, and 4076~~ 4076, *and 4111* of the Business and Professions Code, and to amend Section 11150 of the Health and Safety Code, relating to pharmaceuticals.

LEGISLATIVE COUNSEL'S DIGEST

AB 2660, as amended, Leno. Prescriptions: issuance by a pharmacist.

Existing law, the Uniform Controlled Substances Act, authorizes a pharmacist in specified circumstances to write or issue a prescription. The Pharmacy Law, which provides for the licensure and regulation by the California State Board of Pharmacy of pharmacy practices, defines a prescription, in part, as being issued by designated healing arts practitioners, not including a pharmacist. The Pharmacy Law prohibits ~~distribution of a complimentary sample of a dangerous drug or dangerous device, as defined, without the written request of designated healing arts practitioners~~ *the board from issuing a pharmacy license to, or renewing a pharmacy license of, specified persons, including those who are authorized to write a prescription.* A knowing violation of the Pharmacy Law is ~~punishable as~~ a misdemeanor offense.

This bill would revise the definition of “prescription” to include a *drug order issued by a pharmacist, as specified, among those practitioners who are authorized issuers pursuant to specified conditions.* The bill would also ~~authorize a pharmacist, as specified, to~~

~~request and sign for the receipt of a complimentary sample of a dangerous drug or a dangerous device specify that the board is not precluded from issuing or renewing a license for a pharmacy owned or owned and operated by a pharmacist who is authorized to issue a specified drug order.~~

Because the bill would specify additional requirements under the Pharmacy Law, the violation of which would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4040 of the Business and Professions
 2 Code is amended to read:
 3 4040. (a) "Prescription" means an oral, written, or
 4 electronic transmission order that is both of the following:
 5 (1) Given individually for the person or persons for whom
 6 ordered that includes all of the following:
 7 (A) The name or names and address of the patient or patients.
 8 (B) The name and quantity of the drug or device prescribed and
 9 the directions for use.
 10 (C) The date of issue.
 11 (D) Either rubber stamped, typed, or printed by hand or typeset,
 12 the name, address, and telephone number of the prescriber, his or
 13 her license classification, and his or her federal registry number,
 14 if a controlled substance is prescribed.
 15 (E) A legible, clear notice of the condition for which the drug
 16 is being prescribed, if requested by the patient or patients.
 17 (F) If in writing, signed by the prescriber issuing the order, or
 18 the certified nurse-midwife, nurse practitioner, *or* physician
 19 assistant, ~~or pharmacist~~ who issues a drug order pursuant to
 20 Section 2746.51, 2836.1, *or* 3502.1, ~~or 4052,~~ respectively, *or the*
 21 *pharmacist who issues a drug order pursuant to either*

1 *subparagraph (D) of paragraph (4) of, or clause (iv) of*
 2 *subparagraph (A) of paragraph (5) of, subdivision (a) of Section*
 3 *4052.*

4 (2) Issued by a physician, dentist, optometrist, podiatrist, or
 5 veterinarian or, if a drug order is issued pursuant to Section
 6 2746.51, 2836.1, or 3502.1, ~~or 4052,~~ by a certified nurse-midwife,
 7 nurse practitioner, or physician assistant, ~~or pharmacist~~ licensed in
 8 this state, *or pursuant to either subparagraph (D) of paragraph (4)*
 9 *of, or clause (iv) of subparagraph (A) of paragraph (5) of,*
 10 *subdivision (a) of Section 4052 by a pharmacist licensed in this*
 11 *state.*

12 (b) Notwithstanding subdivision (a), a written order of the
 13 prescriber for a dangerous drug, except for any Schedule II
 14 controlled substance, that contains at least the name and signature
 15 of the prescriber, the name and address of the patient in a manner
 16 consistent with paragraph (3) of subdivision (b) of Section 11164
 17 of the Health and Safety Code, the name and quantity of the drug
 18 prescribed, directions for use, and the date of issue may be treated
 19 as a prescription by the dispensing pharmacist as long as any
 20 additional information required by subdivision (a) is readily
 21 retrievable in the pharmacy. In the event of a conflict between this
 22 subdivision and Section 11164 of the Health and Safety Code,
 23 Section 11164 of the Health and Safety Code shall prevail.

24 (c) “Electronic transmission prescription” includes both
 25 image and data prescriptions. “Electronic image transmission
 26 prescription” means any prescription order for which a facsimile
 27 of the order is received by a pharmacy from a licensed prescriber.
 28 “Electronic data transmission prescription” means any
 29 prescription order, other than an electronic image transmission
 30 prescription, that is electronically transmitted from a licensed
 31 prescriber to a pharmacy.

32 (d) The use of commonly used abbreviations shall not
 33 invalidate an otherwise valid prescription.

34 (e) Nothing in the amendments made to this section (formerly
 35 Section 4036) at the 1969 Regular Session of the Legislature shall
 36 be construed as expanding or limiting the right that a chiropractor,
 37 while acting within the scope of his or her license, may have to
 38 prescribe a device.

39 SEC. 2. Section 4052 of the Business and Professions Code
 40 is amended to read:

1 4052. (a) Notwithstanding any other provision of law, a
2 pharmacist may:

3 (1) Furnish a reasonable quantity of compounded medication
4 to a prescriber for office use by the prescriber.

5 (2) Transmit a valid prescription to another pharmacist.

6 (3) Administer, orally or topically, drugs and biologicals
7 pursuant to a prescriber's order.

8 (4) Perform the following procedures or functions in a licensed
9 health care facility in accordance with policies, procedures, or
10 protocols developed by health professionals, including physicians,
11 pharmacists, and registered nurses, with the concurrence of the
12 facility administrator:

13 (A) Ordering or performing routine drug therapy-related
14 patient assessment procedures including temperature, pulse, and
15 respiration.

16 (B) Ordering drug therapy-related laboratory tests.

17 (C) Administering drugs and biologicals by injection pursuant
18 to a prescriber's order (the administration of immunizations under
19 the supervision of a prescriber may also be performed outside of
20 a licensed health care facility).

21 (D) Initiating or adjusting the drug regimen of a patient
22 pursuant to an order or authorization made by the patient's
23 prescriber and in accordance with the policies, procedures, or
24 protocols of the licensed health care facility.

25 (5) (A) Perform the following procedures or functions as part
26 of the care provided by a health care facility, a licensed home
27 health agency, a licensed clinic in which there is a physician
28 oversight, a provider who contracts with a licensed health care
29 service plan with regard to the care or services provided to the
30 enrollees of that health care service plan, or a physician, in
31 accordance, as applicable, with policies, procedures, or protocols
32 of that facility, the home health agency, the licensed clinic, the
33 health care service plan, or that physician, in accordance with
34 subparagraph (C):

35 (i) Ordering or performing routine drug therapy-related patient
36 assessment procedures including temperature, pulse, and
37 respiration.

38 (ii) Ordering drug therapy-related laboratory tests.

39 (iii) Administering drugs and biologicals by injection pursuant
40 to a prescriber's order (the administration of immunizations under

1 the supervision of a prescriber may also be performed outside of
2 a licensed health care facility).

3 (iv) Initiating or adjusting the drug regimen of a patient
4 pursuant to a specific written order or authorization made by the
5 patient's prescriber for the individual patient, and in accordance
6 with the policies, procedures, or protocols of the health care
7 facility, home health agency, licensed clinic, health care service
8 plan, or physician. Adjusting the drug regimen does not include
9 substituting or selecting a different drug, except as authorized by
10 the protocol. The pharmacist shall provide written notification to
11 the patient's prescriber, or enter the appropriate information in an
12 electronic patient record system shared by the prescriber, of any
13 drug regimen initiated pursuant to this clause within 24 hours.

14 (B) A patient's prescriber may prohibit, by written instruction,
15 any adjustment or change in the patient's drug regimen by the
16 pharmacist.

17 (C) The policies, procedures, or protocols referred to in this
18 paragraph shall be developed by health care professionals,
19 including physicians, pharmacists, and registered nurses, and, at
20 a minimum, meet all of the following requirements:

21 (i) Require that the pharmacist function as part of a
22 multidisciplinary group that includes physicians and direct care
23 registered nurses. The multidisciplinary group shall determine the
24 appropriate participation of the pharmacist and the direct care
25 registered nurse.

26 (ii) Require that the medical records of the patient be available
27 to both the patient's prescriber and the pharmacist.

28 (iii) Require that the procedures to be performed by the
29 pharmacist relate to a condition for which the patient has first been
30 seen by a physician.

31 (iv) Except for procedures or functions provided by a health
32 care facility, a licensed clinic in which there is physician oversight,
33 or a provider who contracts with a licensed health care plan with
34 regard to the care or services provided to the enrollees of that
35 health care service plan, require the procedures to be performed in
36 accordance with a written, patient-specific protocol approved by
37 the treating or supervising physician. Any change, adjustment, or
38 modification of an approved preexisting treatment or drug therapy
39 shall be provided in writing to the treating or supervising physician
40 within 24 hours.

1 (6) Manufacture, measure, fit to the patient, or sell and repair
2 dangerous devices or furnish instructions to the patient or the
3 patient's representative concerning the use of those devices.

4 (7) Provide consultation to patients and professional
5 information, including clinical or pharmacological information,
6 advice, or consultation to other health care professionals.

7 (8) (A) Furnish emergency contraception drug therapy in
8 accordance with either of the following:

9 (i) Standardized procedures or protocols developed by the
10 pharmacist and an authorized prescriber who is acting within his
11 or her scope of practice.

12 (ii) Standardized procedures or protocols developed and
13 approved by both the board and the Medical Board of California
14 in consultation with the American College of Obstetricians and
15 Gynecologists, the California Pharmacist Association, and other
16 appropriate entities. Both the board and the Medical Board of
17 California shall have authority to ensure compliance with this
18 clause, and both boards are specifically charged with the
19 enforcement of this provision with respect to their respective
20 licensees. Nothing in this clause shall be construed to expand the
21 authority of a pharmacist to prescribe any prescription medication.

22 (B) Prior to performing a procedure authorized under this
23 paragraph, a pharmacist shall complete a training program on
24 emergency contraception that consists of at least one hour of
25 approved continuing education on emergency contraception drug
26 therapy.

27 (C) A pharmacist, pharmacist's employer, or pharmacist's
28 agent may not directly charge a patient separate consultation fee
29 for emergency contraception drug therapy services initiated
30 pursuant to this paragraph, but may charge an administrative fee
31 not to exceed ten dollars (\$10) above the retail cost of the drug.
32 Upon an oral, telephonic, electronic, or written request from a
33 patient or customer, a pharmacist or pharmacist's employee shall
34 disclose the total retail price that a consumer would pay for
35 emergency contraception drug therapy. As used in this
36 subparagraph, total retail price includes providing the consumer
37 with specific information regarding the price of the emergency
38 contraception drugs and the price of the administrative fee
39 charged. This limitation is not intended to interfere with other
40 contractually agreed-upon terms between a pharmacist, a

1 pharmacist's employer, or a pharmacist's agent, and a health care
2 service plan or insurer. Patients who are insured or covered and
3 receive a pharmacy benefit that covers the cost of emergency
4 contraception shall not be required to pay an administrative fee.
5 These patients shall be required to pay copayments pursuant to the
6 terms and conditions of their coverage. The provisions of this
7 subparagraph shall cease to be operative for dedicated emergency
8 contraception drugs when these drugs are reclassified as
9 over-the-counter products by the federal Food and Drug
10 Administration.

11 (D) A pharmacist may not require a patient to provide
12 individually identifiable medical information that is not specified
13 in Section 1707.1 of Title 16 of the California Code of Regulations
14 before initiating emergency contraception drug therapy pursuant
15 to this paragraph.

16 (b) (1) Prior to performing any procedure authorized by
17 paragraph (4) of subdivision (a), a pharmacist shall have received
18 appropriate training as prescribed in the policies and procedures
19 of the licensed health care facility.

20 (2) Prior to performing any procedure authorized by paragraph
21 (5) of subdivision (a), a pharmacist shall have either (A)
22 successfully completed clinical residency training or (B)
23 demonstrated clinical experience in direct patient care delivery.

24 (3) For each emergency contraception drug therapy initiated
25 pursuant to paragraph (8) of subdivision (a), the pharmacist shall
26 provide the recipient of the emergency contraception drugs with
27 a standardized factsheet that includes, but is not limited to, the
28 indications for use of the drug, the appropriate method for using
29 the drug, the need for medical followup, and other appropriate
30 information. The board shall develop this form in consultation
31 with the State Department of Health Services, the American
32 College of Obstetricians and Gynecologists, the California
33 Pharmacists Association, and other health care organizations. The
34 provisions of this section do not preclude the use of existing
35 publications developed by nationally recognized medical
36 organizations.

37 ~~(e) Initiating or adjusting drugs or devices by a pharmacist~~
38 ~~under this section is an act of ordering or making a pharmaceutical~~
39 ~~agent available to the patient in accordance with approved~~

1 ~~policies, procedures, and protocol. A pharmacist who is~~
2 ~~authorized~~

3 *(c) A pharmacist who is authorized to issue an order to initiate*
4 *or adjust a controlled substance therapy pursuant to this section*
5 *shall personally register with the federal Drug Enforcement*
6 *Administration.*

7 *(d) Nothing in this section shall affect the requirements of*
8 *existing law relating to maintaining the confidentiality of medical*
9 *records.*

10 *(e) Nothing in this section shall affect the requirements of*
11 *existing law relating to the licensing of a health care facility.*

12 SEC. 3. Section 4060 of the Business and Professions Code
13 is amended to read:

14 4060. No person shall possess any controlled substance,
15 except that furnished to a person upon the prescription of a
16 physician, dentist, podiatrist, optometrist, or veterinarian, or
17 furnished pursuant to a drug order issued by a certified
18 nurse-midwife pursuant to Section 2746.51, a nurse practitioner
19 pursuant to Section 2836.1, a physician assistant pursuant to
20 Section 3502.1, or a pharmacist pursuant to *either subparagraph*
21 *(D) of paragraph (4) of, or clause (iv) of subparagraph (A) of*
22 *paragraph (5) of, subdivision (a) of Section 4052. This section*
23 *shall not apply to the possession of any controlled substance by a*
24 *manufacturer, wholesaler, pharmacy, pharmacist, physician,*
25 *podiatrist, dentist, optometrist, veterinarian, certified*
26 *nurse-midwife, nurse practitioner, or physician assistant, when in*
27 *stock in containers correctly labeled with the name and address of*
28 *the supplier or producer.*

29 Nothing in this section authorizes a certified nurse-midwife, a
30 nurse practitioner, or a physician assistant to order his or her own
31 stock of dangerous drugs and devices.

32 ~~SEC. 4. Section 4061 of the Business and Professions Code~~
33 ~~is amended to read:~~

34 ~~4061. (a) No manufacturer's sales representative shall~~
35 ~~distribute any dangerous drug or dangerous device as a~~
36 ~~complimentary sample without the written request of a physician,~~
37 ~~dentist, podiatrist, optometrist, pharmacist, or veterinarian.~~
38 ~~However, a certified nurse-midwife who functions pursuant to a~~
39 ~~standardized procedure or protocol described in Section 2746.51,~~
40 ~~a nurse practitioner who functions pursuant to a standardized~~

~~procedure described in Section 2836.1, or protocol, a physician assistant who functions pursuant to a protocol described in Section 3502.1, or a pharmacist who functions pursuant to a policy, procedure, or protocol pursuant to Section 4052, may sign for the request and receipt of complimentary samples of a dangerous drug or dangerous device that has been identified in the standardized procedure, protocol, or practice agreement. Standardized procedures, protocols, and practice agreements shall include specific approval by a physician. A review process, consistent with the requirements of Section 2725 or 3502.1, of the complimentary samples requested and received by a nurse practitioner, certified nurse-midwife, physician assistant, or pharmacist shall be defined within the standardized procedure, protocol, or practice agreement.~~

~~(b) Each written request shall contain the names and addresses of the supplier and the requester, the name and quantity of the specific dangerous drug desired, the name of the certified nurse-midwife, nurse practitioner, physician assistant, or pharmacist if applicable, receiving the samples pursuant to this section, the date of receipt, and the name and quantity of the dangerous drugs or dangerous devices provided. These records shall be preserved by the supplier with the records required by Section 4059.~~

~~(c) Nothing in this section is intended to expand the scope of practice of a certified nurse-midwife, nurse practitioner, physician assistant, or pharmacist.~~

~~SEC. 5.~~

~~SEC. 4.~~ Section 4076 of the Business and Professions Code is amended to read:

4076. (a) A pharmacist shall not dispense any prescription except in a container that meets the requirements of state and federal law and is correctly labeled with all of the following:

(1) Except where the prescriber or the certified nurse-midwife who functions pursuant to a standardized procedure or protocol described in Section 2746.51, the nurse practitioner who functions pursuant to a standardized procedure described in Section 2836.1, or protocol, the physician assistant who functions pursuant to Section 3502.1, or the pharmacist who functions pursuant to a policy, procedure, or protocol pursuant to *either subparagraph (D) of paragraph (4) of, or clause (iv) of subparagraph (A) of*

1 *paragraph (5) of, subdivision (a) of* Section 4052 orders
2 otherwise, either the manufacturer's trade name of the drug or the
3 generic name and the name of the manufacturer. Commonly used
4 abbreviations may be used. Preparations containing two or more
5 active ingredients may be identified by the manufacturer's trade
6 name or the commonly used name or the principal active
7 ingredients.

8 (2) The directions for the use of the drug.

9 (3) The name of the patient or patients.

10 (4) The name of the prescriber or, if applicable, the name of the
11 certified nurse-midwife who functions pursuant to a standardized
12 procedure or protocol described in Section 2746.51, the nurse
13 practitioner who functions pursuant to a standardized procedure
14 described in Section 2836.1, or protocol, the physician assistant
15 who functions pursuant to Section 3502.1, or the pharmacist who
16 functions pursuant to a policy, procedure, or protocol pursuant to
17 *either subparagraph (D) of paragraph (4) of, or clause (iv) of*
18 *subparagraph (A) of paragraph (5) of, subdivision (a) of* Section
19 4052.

20 (5) The date of issue.

21 (6) The name and address of the pharmacy, and prescription
22 number or other means of identifying the prescription.

23 (7) The strength of the drug or drugs dispensed.

24 (8) The quantity of the drug or drugs dispensed.

25 (9) The expiration date of the effectiveness of the drug
26 dispensed.

27 (10) The condition for which the drug was prescribed if
28 requested by the patient and the condition is indicated on the
29 prescription.

30 (11) (A) Commencing January 1, 2006, the physical
31 description of the dispensed medication, including its color, shape,
32 and any identification code that appears on the tablets or capsules,
33 except as follows:

34 (i) Prescriptions dispensed by a veterinarian.

35 (ii) An exemption from the requirements of this paragraph
36 shall be granted to a new drug for the first 120 days that the drug
37 is on the market and for the 90 days during which the national
38 reference file has no description on file.

39 (iii) Dispensed medications for which no physical description
40 exists in any commercially available database.

1 (B) This paragraph applies to outpatient pharmacies only.

2 (C) The information required by this paragraph may be printed
3 on an auxiliary label that is affixed to the prescription container.

4 (D) This paragraph shall not become operative if the board,
5 prior to January 1, 2006, adopts regulations that mandate the same
6 labeling requirements set forth in this paragraph.

7 (b) If a pharmacist dispenses a prescribed drug by means of a
8 unit dose medication system, as defined by administrative
9 regulation, for a patient in a skilled nursing, intermediate care, or
10 other health care facility, the requirements of this section will be
11 satisfied if the unit dose medication system contains the
12 aforementioned information or the information is otherwise
13 readily available at the time of drug administration.

14 (c) If a pharmacist dispenses a dangerous drug or device in a
15 facility licensed pursuant to Section 1250 of the Health and Safety
16 Code, it is not necessary to include on individual unit dose
17 containers for a specific patient, the name of the certified
18 nurse-midwife who functions pursuant to a standardized
19 procedure or protocol described in Section 2746.51, the nurse
20 practitioner who functions pursuant to a standardized procedure
21 described in Section 2836.1, or protocol, the physician assistant
22 who functions pursuant to Section 3502.1, or the pharmacist who
23 functions pursuant to a policy, procedure, or protocol pursuant to
24 *either subparagraph (D) of paragraph (4) of, or clause (iv) of*
25 *subparagraph (A) of paragraph (5) of, subdivision (a) of Section*
26 *4052.*

27 (d) If a pharmacist dispenses a prescription drug for use in a
28 facility licensed pursuant to Section 1250 of the Health and Safety
29 Code, it is not necessary to include the information required in
30 paragraph (11) of subdivision (a) when the prescription drug is
31 administered to a patient by a person licensed under the Medical
32 Practice Act (Chapter 5 (commencing with Section 2000)), the
33 Nursing Practice Act (Chapter 6 (commencing with Section
34 2700)), or the Vocational Nursing Practice Act (Chapter 6.5
35 (commencing with Section 2840)), who is acting within his or her
36 scope of practice.

37 *SEC. 5. Section 4111 of the Business and Professions Code is*
38 *amended to read:*

1 4111. (a) Except as otherwise provided in subdivision (b)-~~or~~,
2 (d), *or (e)*, the board shall not issue or renew ~~any~~ a license to
3 conduct a pharmacy to any of the following:

4 (1) A person or persons authorized to prescribe or write a
5 prescription, as specified in Section 4040, in the State of
6 California.

7 (2) A person or persons with whom a person or persons
8 specified in paragraph (1) shares a community or other financial
9 interest in the permit sought.

10 (3) Any corporation that is controlled by, or in which 10 percent
11 or more of the stock is owned by a person or persons prohibited
12 from pharmacy ownership by paragraph (1) or (2).

13 (b) Subdivision (a) shall not preclude the issuance of a permit
14 for an inpatient hospital pharmacy to the owner of the hospital in
15 which it is located.

16 (c) The board may require any information the board deems is
17 reasonably necessary for the enforcement of this section.

18 (d) Subdivision (a) shall not preclude the issuance of a new or
19 renewal license for a pharmacy to be owned or owned and operated
20 by a person licensed on or before August 1, 1981, under the
21 Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2
22 (commencing with Section 1340) of Division 2 of the Health and
23 Safety Code) and qualified on or before August 1, 1981, under
24 subsection (d) of Section 1310 of Title XIII of the federal Public
25 Health Service Act, as amended, whose ownership includes
26 persons defined pursuant to paragraphs (1) and (2) of subdivision
27 (a).

28 (e) *Subdivision (a) shall not preclude the issuance of a new or*
29 *renewal license for a pharmacy to be owned or owned and*
30 *operated by a pharmacist authorized to issue a drug order*
31 *pursuant to subparagraph (D) of paragraph (4) of, or clause (iv)*
32 *of subparagraph (A) of paragraph (5) of, subdivision (a) of Section*
33 *4052.*

34 SEC. 6. Section 11150 of the Health and Safety Code is
35 amended to read:

36 11150. No person other than a physician, dentist, podiatrist, or
37 veterinarian, or pharmacist acting within the scope of a project
38 authorized under Article 1 (commencing with Section 128125) of
39 Chapter 3 of Part 3 of Division 107 or within the scope of *either*
40 *subparagraph (D) of paragraph (4) of, or clause (iv) of*

1 *subparagraph (A) of paragraph (5) of, subdivision (a) of* Section
 2 4052 of the Business and Professions Code, a registered nurse
 3 acting within the scope of a project authorized under Article 1
 4 (commencing with Section 128125) of Chapter 3 of Part 3 of
 5 Division 107, a certified nurse-midwife acting within the scope of
 6 Section 2746.51 of the Business and Professions Code, a nurse
 7 practitioner acting within the scope of Section 2836.1 of the
 8 Business and Professions Code, a physician assistant acting within
 9 the scope of a project authorized under Article 1 (commencing
 10 with Section 128125) of Chapter 3 of Part 3 of Division 107 or
 11 Section 3502.1 of the Business and Professions Code, or an
 12 optometrist acting within the scope of Section 3041 of the
 13 Business and Professions Code, or an out-of-state prescriber
 14 acting pursuant to Section 4005 of the Business and Professions
 15 Code shall write or issue a prescription.

16 SEC. 7. No reimbursement is required by this act pursuant to
 17 Section 6 of Article XIII B of the California Constitution because
 18 the only costs that may be incurred by a local agency or school
 19 district will be incurred because this act creates a new crime or
 20 infraction, eliminates a crime or infraction, or changes the penalty
 21 for a crime or infraction, within the meaning of Section 17556 of
 22 the Government Code, or changes the definition of a crime within
 23 the meaning of Section 6 of Article XIII B of the California
 24 Constitution.

25 _____
 26 CORRECTIONS
 27 Text — Pages 9, 10.
 28 _____
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